

REMARKS

In response to the Notice, sequence identifiers (SEQ ID NO:) have been added to paragraphs in the specification and to claims 4, 61, 70, 81 and 92.

Having complied with the Notice, Applicants note their belief that the request set forth in the Notice is incorrect under the sequence listing rules and is likely to create confusion on the part of the reader. It is respectfully noted that the portions of the specification and claims specifically named by the Notice are not amino acid sequences *per se*, but are names known in the art which serve as abbreviations for *Pseudomonas* exotoxin A (PE) molecules which have been modified to be of particular molecular weights and to have particular carboxyl termini (e.g., "PE38KDEL" is a 38 kD form of PE in which the carboxyl terminus is KDEL). Insertion of a sequence identifier alone after the compound name (e.g., PE38KDEL (SEQ ID NO:9)) introduces ambiguity to the identity of the sequence specified by the sequence identifier, since SEQ ID NO:9 identifies only the "KDEL" carboxyl terminus portion of the entire molecule in the Sequence Listing. Nor does the addition of the "KDEL" suffix to the name "PE38" suddenly require the listing of the entire PE38 amino acid sequence.

The Notice does not contend that the various forms of PE named in the specification, such as PE40, require separate sequence listings, and the numerous patents related to PE by inventor Pastan and his colleagues, examined by a multitude of examiner, have never had a sequence listing requirement imposed on names such as PE38KDEL, PE4E, PE38QQR or other variations (see, e.g., U.S. Patents 6,147,203 (col. 23, lines 30-35), 5,981,726 (at col. 3, lines 31-44), 5,854,044 (at col. 4, line 14), and 5,705,156 (at Fig. 2 and col. 3, lines 24-28)). In other words, the mere addition of a sequence to a name to indicate a variation in the molecule identified by the name does not suddenly render the name itself subject to being required to be included in a sequence listing.

Finally, Applicants noted in the course of preparing this response that the Amendment submitted December 5, 2002 inadvertently omitted from the "VERSION

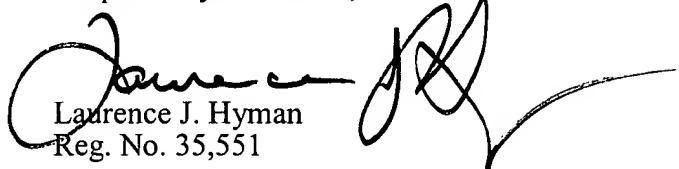
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WITH MARKINGS TO SHOW CHANGES MADE" the underlining that should have identified a sequence identifier added in the paragraph beginning on page 18, line 20. Applicants have resubmitted the paragraph in the amendments herein with the correct underlining for all the changes.

If the Examiner believes a telephone conference would expedite prosecution of this application, he is invited to telephone the undersigned at 415-576-0200.

Respectfully submitted,


Lawrence J. Hyman
Reg. No. 35,551

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
LJH:dmw
SF 1439937 v1